

United States District Court
For the Northern District of California

11 DANIEL RODRIGUEZ,

No. C 11-03562 WHA

12 Plaintiff,

13 v.

14 ROBIN BARRETT, Field Office Director
15 U.S. Citizenship & Immigration Services,

ORDER TO CLERK TO CLOSE CASE

16 Defendant.
17 _____ /

18 On August 4, 2011, an order dismissed this action with leave to amend. Specifically, the
19 order granted plaintiff 21 calendar days from the date of the order to file a motion for leave to file
20 an amended complaint. No such motion has been filed. Instead, plaintiff filed, (1) a document
21 titled “Proof of evident. Propose to Court.”; (2) a document titled “Propose Order / Law Suet
22 .Demand to Trial”; (3) a “Motion for Dismissal Pursuant to Section 1203 4a of the Penal Code”;
23 (4) a “Motion to Dismiss Rule 3.514 Rule 3.520 Rules 3.521-3.523 and Rule 3.524”; and (5) a
24 “First Notice of Payment Due.” These range from two to seven pages in length and contain
25 discretely headed pages. As before, all are disjointed to the point of being incoherent and
26 unintelligible. Most importantly, they are not a motion for leave to file an amended complaint
27 that clearly explains how the amendments to the complaint cure the deficiencies previously
28 identified and to which a proposed amended complaint is appended — as required by the order of

1 dismissal. Plaintiff was specifically warned that if he did not file such motion, this case will be
2 closed. The Clerk shall close the file.

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4 **IT IS SO ORDERED.**

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6 Dated: August 29, 2011.

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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE